IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY EIGHTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 13811 of 2005

Between:

Syed Jaffar s/o.Sikindar
E.No.47316 P.O. IV section, APSRTC
Musheerabad Hyderabad.

..... PETITIONER

AND

1 The Divisional Manager, APSRTC, Eluru Division
Eluru, West Godzavari District.
2 The Depot Manager, APSRTC Eluru Depot, Eluru,

West Godavari District.
3 The Personnel Officer-II Cum Disbursing Officer

APSRTC Bus Bhavan, Musheerazbad, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or order or direction, more preferably in the nature of writ of Mandamus, declaring the action of the respondents in recovering the amount of Rs.8,820/- in 10 equal monthly instalments from my salary from the month of May 2005 on wards pursuant to the final order dt.2.5.05 passed by the 2nd respondent in file No.E1/8(1)/2003-ELR without considering the appeal dt.27.5.05 filed by me before the 1st respondent, as being illegal, arbitrary and violative of Articles 14, 19 (i) (g) and 21 of the Constitution of India and also violative of principles of natural justice.

Counsel for the Petitioner :Mr.V.HARI HARAN

Counsel for the Respondents: MR.R.M.REDDY/MR.P.VINAYAKA SWAMY (SC FOR APSRTC)

The Court at the stage of admission made the following :

ORDER:

This writ petition is filed by the petitioner aggrieved by the action of the respondents in recovering the amount by way of instalments in pursuance of the orders passed by the 2nd respondent dated 02-05-2005 even though the statutory appeal filed by the petitioner before the 1st respondent is pending and no orders are passed by the 1st respondent.

Heard the learned counsel for the petitioner and the learned standing counsel for the respondents.

As the statutory appeal has already been filed, the 1st respondent is directed to dispose of the said appeal expeditiously, preferably within a period of 4 weeks from the date of receipt of a copy of this order. For any reasons, if the 1st respondent is not in a position to dispose of the appeal, the 1st respondent is directed to pass appropriate orders on the stay petition filed by the petitioner seeking stay of recovery of the amount.

With the above said directions, the writ petition is hereby disposed of. No order as to costs.

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S. ANANDA REDDY, J.

Dated: 28..06..2005.

rns

To

1 The Divisional Manager APSRTC.Eluru Division
Eluru, West Godzavari District.

2 The Depot Manager, APSRTC Eluru Depot, Eluru,

West Godavari District.

3 The Personnel Officer-II Cum Disbursing Officer

APSRTC Bus Bhavan, Musheerazbad, Hyderabad.

4 Two CD copies